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026304

PTO/SB/13/PCT (10-00)
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REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
HERR 20.471	CLASS	SUBCLASS		

Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

19972 U.S. PTO
10/609195
06/26/03

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b) of pending prior international application Number PCTEP02 / 07169, filed on 06/28/2002 entitled PROBIOTIC STRAINS, A PROCESS FOR THE SELECTION OF THEM, COMPOSITIONS THEREOF, AND THEIR USE which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	38	- 20 =	18	x \$ <u>9</u> =	\$ 162.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	7	- 3 =	4	x \$ <u>42</u> =	168.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ <u>280</u> =	280.00
BASIC FEE (37 CFR 1.16(a))				+ <u>375</u>	
Total of above Calculations =					985.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
Total =					985.00

- Enclosed are the specification, claims and drawing(s).
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-1290. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ Application Data Sheet is enclosed. See 37 CFR 1.76.
- ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of international application number PCTEP02 / 07169, filed June 28, 2002 (status, abandoned, pending, etc.)."

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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8. ☒ A declaration under 37 CFR 1.63 is enclosed.
9. ☐ Priority of foreign application number _____, filed on _____ in _____
is claimed under 35 U.S.C. 119(a)-(d).
- ☐ The certified copy is enclosed.
10. ☐ A preliminary amendment is enclosed.
11. ☒ Also enclosed: INFORMATION DISCLOSURE STMT. & FORM PTO-1449, ASSIGNMENT & RECORDATION FORM PTO-1595, ITEMIZED POSTCARD

Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record).

Customer No.: 026304; Katten Muchin Zavis Rosenman 575 Madison Avenue

New York, NY 10022-2585 Tel. (212) 940-8800, Fax (212) 940-8986 or 8987

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

June 26, 2003

Date



Signature

Thomas J. Bean

Typed or printed name

- ☐ Inventor(s)/Applicant(s)
- ☐ Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or agent of record
- ☐ Filed under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a): _____.

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.